

REMARKS

I. Introduction

In response to the Office Action dated April 15, 2004, no claims have been cancelled, amended or added. Claims 1-66 remain in the application. Re-examination and re-consideration of the application is requested.

II. Requirement under 37 C.F.R. §1.105

In section (2) of the Office Action, the following requirement under 37 C.F.R. §1.105 was made:

Applicant and the assignee of this application are required under 37 CFR 1.105 to provide the following information that the examiner has determined is reasonably necessary to the examination of the application.

This information is required to complete the record so that an analysis can be made under 35 U.S.C. 102 and 103 may be ascertained. Thus, the following information is requested:

A. The date of accessing account, event and organization attributes, performing one or more profitability calculations that were determined prior to the filing date of the present application or related applications.

B. The sales promotional materials or correspondence associated with the items listed in the paragraph above developed more than one year prior to the filing date of the present application or related applications.

C. The contract, license agreement or other documents evidencing licensing or sale more than one year prior to the filing date of the present application or related applications.

D. Any user manuals, automation guides, sales presentation materials, or product descriptions of advertising serving technology offered for sale or sold more than one year prior to the filing date of the present application or related applications.

With regard to request A above, Applicants' attorney respectfully submits that the request is improper, in that it appears to be a request for a date of conception and/or reduction to practice of the Applicants' invention. Applicants' attorney notes that the requested information cannot be characterized as falling within the categories of information set forth in 37 C.F.R. §1.105(a)(1)(i)-(vii) or M.P.E.P. §704.11(a). As a result, Applicants' attorney submits that the requested information is not reasonably required for examination, and thus requests that the requirement be withdrawn.

With regard to requests B, C and D above, Applicants' attorney made inquiries of the Applicant and other employees of the Assignee, but no such documents were found.

III. Conclusion


In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Respectfully submitted,

GATES & COOPER LLP
Attorneys for Applicant(s)

Howard Hughes Center
6701 Center Drive West, Suite 1050
Los Angeles, California 90045
(310) 641-8797

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By: 
Name: George H. Gates
Reg. No.: 33,500

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